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# Sedgwick LLP

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October 14, 2011

**BY FAX**

Honorable Harold Baer  
United States District Court  
Southern District of New York  
500 Pearl Street, Chambers 2230  
New York, New York 10007  
Fax: (212) 805-7901

USDS SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 10/18/11

Re: *Maclarens Europe Limited v. ACE American Insurance Company*  
Case No.: 1:11-cv-04688-HB  
Our File No.: 01560-007753

Dear Judge Baer:

This firm represents the defendant, ACE American Insurance Company ("ACE"), in the above-referenced matter currently pending before the Court. In accordance with your Honor's individual practice rules, we write to advise the Court that on July 28, 2011, ACE filed their Motion to Dismiss.

On October 7, 2011, Plaintiff Maclarens Europe Limited filed their opposition to ACE's Motion to Dismiss. ACE shall submit their reply brief on or before November 11, 2011. Both Plaintiff and Defendant agree to this briefing schedule and request oral argument.

We expect the motion to be fully briefed by November 14, 2011.

Very truly yours,

Thomas Orofino  
Sedgwick LLP

cc: Paul S. Hugel, Esq. Fax: (212) 949-8255  
CLAYMAN & ROSENBERG LLP, Attorneys for Plaintiff

NY/753359v1

10/18/11 Did you receive  
that the time for you  
M/D to be fully briefed & filed  
was pursuant to the 8/16/11  
advise - you still have time  
ago - you still have time  
for a m/s > what is due  
fully briefed according to the PTSD  
on 6/11/12 SO ORDERED  
Harold Baer  
VSDJ

Endorsement:

Did you realize that the time for your motion to dismiss to be fully briefed and filed was, pursuant to the August 16, 2011 endorsement, over a month ago - you still have time for a motion for summary judgment which is due fully briefed according to the pre trial scheduling order on June 11, 2012.